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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,652	11/06/2002	Gary Huang	9822-US-PA	7994

31561 7590 03/18/2004

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE  
7 FLOOR-1, NO. 100  
ROOSEVELT ROAD, SECTION 2  
TAIPEI, 100  
TAIWAN

EXAMINER

CASTRO, ANGEL A

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 03/18/2004

*[Handwritten number 4]*

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/065,652

Applicant(s)

HUANG ET AL.

Examiner

Angel A Castro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 7-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This Office Action is in response to Amendment A filed 12/31/03.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Okita et al (U.S. Pat. 4,719,526).

Regarding claim 1, Okita et al discloses a damper (figure 6) comprising a radial trench 29, wherein the radial trench is caved into a lateral surface area of the damper and a shape of a traversal cross-section parallel to a radius of a damper is not 90-degrees-cyclic-quadrant-symmetric (figure 6); and

a longitudinal through-hole (upper part of damper) that penetrates through the damper and is parallel to a longitude of the damper.

Regarding claim 2, Okita et al shows that the shape of the traversal cross-section parallel to the radius of the damper comprises at least two different curves (see figure 6).

3. Claims 4-5 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Bishop (U.S. Pat. 3,756,551).

Regarding claim 4, Bishop discloses a damper (figure 3) comprising a radial trench (shown in figure 3, but not labeled), wherein the radial trench is caved into a lateral surface area of the damper and

a slot 12 that is caved into inner lateral surfaces of and intersects with the radial trench.

Regarding claim 5, Bishop shows that the slot is a longitudinal slot, which is parallel to a longitude of the damper (see figure 3).

Regarding claim 7, Bishop shows a longitudinal through-hole that penetrates through the damper and is parallel to a longitude of the damper (see figure 3).

Regarding claim 8, Bishop shows a damper structure (figure 3) comprising:

a damper comprising a radial trench (shown in figure 3, but not labeled), which caves into a lateral surface area of the damper and is parallel to a radius of the damper;

a clamp 22 which engages to clamp onto the damper by the radial trench, wherein the clamp has chamfered edges at an end where the clamp clamps onto the damper such that a surface contact area between the clamp and the damper is smaller than an inner surface area of the radial trench (it is evident from the figure that the surface contact area between the clamp and the damper is smaller than the total inner surface of the radial trench).

Regarding claim 9, Bishop shows the damper further comprising a longitudinal through-hole (shown in figure 3, but not labeled), which penetrates through the damper and is parallel to a longitude of the damper (see figure 3).

*Response to Arguments*

4. Applicant's arguments with respect to claims 4-5 and 7-9 have been considered but are moot in view of the new ground(s) of rejection.
5. Applicant's arguments filed 12/31/03 have been fully considered but they are not persuasive.

Applicant asserts in page 7, first paragraph:

“Apparently, the claimed invention provides a damper including a radial trench and a longitudinal through-hole penetrating through the damper.”

The Examiner respectfully points out that the damper of the reference in fact has a longitudinal through-hole (in the upper part) that penetrates through the damper as claimed in claim 1.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Spaltowski (U.S. Pat. 5,123,625) discloses a resilient support element with graded stiffnesses.
7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until

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after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel A Castro whose telephone number is 703-308-8435. The examiner can normally be reached on Monday through Thursday, 8 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R Korzuch can be reached on 703-305-6137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angel Castro, Ph.D.

  
WILLIAM KORZUCH  
SUPERVISORY PATENT EXAMINER  
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